

REMARKS:

The undersigned would like to thank the Examiner for his time in providing feedback on certain proposed claim amendments.

In this regard, claims 1-23 are presented for examination, with claims 1, 3, 6, 7, 9, 13 and 18 having been amended hereby and new claims 21-23 having been added.

Reconsideration is respectfully requested of the rejection of claims 1, 2, 5, 7 and 9-12 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,018,768 ("Ullman et al.").

As an initial matter, it is respectfully submitted that applicant does not necessarily concur with the Examiner with regard to this rejection.

Nevertheless, in order to expedite prosecution of the application, independent claim 1 has been amended hereby to more particularly point out the features of the invention directed to: (a) a code fragment received by a computer, which code fragment includes at least one instruction correlated to content of an audio and video broadcast signal; and (b) updating a screen display based upon the interpreted instruction of the code fragment.

Likewise, independent claim 7 has been amended hereby to more particularly point out the features of the invention directed to: (a) a code fragment including at least one instruction correlated to content of an audio and video broadcast; and (b) updating of a screen display based upon interpretation of the instruction of the code fragment.

Moreover, independent claim 9 has been amended hereby to more particularly point out the features of the invention directed to: (a) interpreting at least one instruction associated with an enhancement, which instruction is correlated to content of an audio and video signal; and (b) updating a screen display based upon the interpreted instruction.

It is believed that these features are neither shown nor suggested by Ullman et al.

In this regard, it is noted that Ullman et al, which relates to an "enhanced video programming system and method for incorporating and displaying retrieved integrated internet information segments," explicitly teaches receipt of URLs for retrieving web pages.

More particularly, the Abstract of Ullman et al. indicates that:

A computer-based system receives a video program with embedded uniform resource locators (URLs). The URLs, the effective addresses of locations or Web sites on the Internet, are interpreted by the system and direct the system to the

Web site locations to retrieve related Web pages. Upon receipt of the Web pages by the system, the Web pages are synchronized to the video content for display. The video program signal can be displayed on a video window on a conventional personal computer screen. The actual retrieved Web pages are time stamped to also be displayed, on another portion of the display screen, when predetermined related video content is displayed in the video window. As an alternative, the computer-based system receives the URLs directly through an Internet connection at times specified by TV broadcasters in advance. The system interprets the URLs and retrieves the appropriate Web pages. The Web pages are synchronized to the video content for display in conjunction with a television program being broadcast to the user at that time. This alternative system allows the URLs to be entered for live transmission to the user. (emphasis added)

It is respectfully submitted that such URLs do not themselves form instructions correlated to the content of an audio and video broadcast signal (as recited by independent claims 1, 7 and '9). Rather, as indicated by Ullman et al., such URLs are "effective addresses of locations or Web sites on the Internet".

Moreover, it is respectfully submitted that such URLs themselves are not utilized in updating a screen display (as are the instructions recited by independent claims 1, 7 and 9). Rather, the URLs of Ullman et al. are used as intermediary pointers to a web site location to be retrieved.

In fact, it is respectfully submitted that Ullman et al. teach (at col. 8, lines 21-27, for example) that the "actual retrieved Web pages 102, referenced by the URL, are optionally time stamped to be displayed on the computer screen when predetermined related video content is displayed in the video window, thus, enlightening and enhancing the video presentation by providing in-depth information related to the video content thereto." (emphasis added)

Thus, while the web pages may or may not be time stamped, each web page is simply retrieved after being referenced by the URL. This is in contrast to the code fragment instruction / screen display updating mechanism of the present invention (see, e.g., page 7, lines 4-6 of the specification discussing a screen display that is "visually described" by HTML code and which

may have "a portion of it change upon receipt of a code fragment that will cause replacement of only a portion of the entire screen's descriptive HTML code.").

Finally, it is noted that each of claims 2, 5 and 10-12 depends, directly or indirectly, from one of amended independent claims 1 and 9. Thus, it is respectfully submitted that each of these dependent claims is patentably distinct for at least the same reasons as the independent claim from which it depends (applicant of course retains the right to assert patentability of one or more features of these claims at a later date).

Therefore, it is respectfully submitted that the rejection of claims 1, 2, 5, 7 and 9-12 under 35 U.S.C. 102(e) as being anticipated by Ullman et al. has been overcome.

Reconsideration is respectfully requested of the rejection of claims 4, 6 and 8 under 35 U.S.C. 103(a) as being unpatentable over Ullman et al.

Again, it is respectfully submitted that applicant does not necessarily concur with the Examiner with regard to this rejection.

Nevertheless, it is noted that each of claims 4, 6 and 8 depends, directly or indirectly, from one of amended independent claims 1 and 7. Thus, it is respectfully submitted that each of these dependent claims is patentably distinct for at least the same reasons as the independent claim from which it depends (applicant of course retains the right to assert patentability of one or more features of these claims at a later date).

Therefore, it is respectfully submitted that the rejection of claims 4, 6 and 8 under 35 U.S.C. 103(a) as being unpatentable over Ullman et al. has been overcome.

Reconsideration is respectfully requested of the rejection of claim 3 under 35 U.S.C. 103(a) as being unpatentable over Ullman et al. in view of U.S. Patent 6,173,317 ("Chaddha").

Again, it is respectfully submitted that applicant does not necessarily concur with the Examiner with regard to this rejection.

Nevertheless, it is noted that claim 3 depends from amended independent claim 1. Thus, it is respectfully submitted that this dependent claim is patentably distinct for at least the same reasons as the independent claim from which it depends (applicant of course retains the right to assert patentability of one or more features of these claims at a later date).

Therefore, it is respectfully submitted that the rejection of claim 3 under 35 U.S.C. 103(a) as being unpatentable over Ullman et al. in view of Chaddha has been overcome.

Reconsideration is respectfully requested of the rejection of claims 13-20 under 35 U.S.C. 103(a) as being unpatentable over Ullman et al. in view of U.S. Patent 6,340,159 ("Giangrante").

Again, it is respectfully submitted that applicant does not necessarily concur with the Examiner with regard to this rejection.

Nevertheless, it is noted that each of claims 13-20 depends, directly or indirectly, from amended independent claim 9. Thus, it is respectfully submitted that each of these dependent claims is patentably distinct for at least the same reasons as the independent claim from which it depends (applicant of course retains the right to assert patentability of one or more features of these claims at a later date).

Therefore, it is respectfully submitted that the rejection of claims 13-20 under 35 U.S.C. 103(a) as being unpatentable over Ullman et al. in view of Giangrante has been overcome.

Accordingly, it is respectfully submitted that each rejection raised by the Examiner in the December 20, 2004 Office Action has been overcome and that the above-identified application is now in condition for allowance.

Finally, it is noted that this Amendment is fully supported by the originally filed application and thus, no new matter has been added. For this reason, the Amendment should be entered.

For example, support for the amendments to the claims regarding the code fragment instruction is found in the claims, as filed; at page 6, line 21 to page 7, line 6; page 10, lines 3-13; and throughout the specification.

Further, support for the amendments to the claims regarding updating the screen display is found in the claims, as filed; at page 6, line 21 to page 7, line 6; page 10, lines 3-13; page 11, line 1 to page 12, line 23; in FIGS. 2 and 3; and throughout the specification.


Further still, support for the new claims regarding the authoring system is found in the claims, as filed; at page 8, line 12 to page 10, line 19; in FIG. 1; and throughout the specification.

Further still, support for the new claims regarding the push server is found in the claims, as filed; at page 11, lines 20-23; in FIG. 1; and throughout the specification.

Favorable reconsideration is earnestly solicited.

**Respectfully submitted,
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